

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	CRIMINAL NO.: <i>05-10137-NMG</i>
v.	)	VIOLATIONS:
OZELIO PEREIRA DE ASSIS,	)	18 U.S.C. §1028(a)(2) -
A/K/A OZELIO PEREIRA ASSIS,	)	(Transfer of False
A/K/A JOAO PEREIRA,	)	Identification Documents)
Defendant.	)	18 U.S.C. §1028(a)(5) -
	)	(Possession of Document-Making
	)	Implements)
	)	18 U.S.C. §2
	)	(Aiding and Abetting)
	)	18 U.S.C. §1028(b)(5) -
	)	(Criminal Forfeiture)
	)	18 U.S.C. §982(a)(2)(B)
	)	(Criminal Forfeiture)
)	

INDICTMENT

COUNT ONE: (Title 18, United States Code, Section 1028(a)(2) -
Transfer of False Identification Documents)

Between in or about October of 2004 through in or about May of 2005, at Peabody and elsewhere, in the District of Massachusetts,

**OZELIO PEREIRA DE ASSIS,
A/K/A OZELIO PEREIRA ASSIS,
A/K/A JOAO PEREIRA,**

the defendant herein, did knowingly transfer false identification documents, to wit, counterfeit Social Security account number cards and counterfeit alien registration cards, knowing that such documents were produced without lawful authority.

All in violation of Title 18, United States Code, Section 1028(a)(2) and Title 18, United States Code, Section 2.

COUNT TWO: (Title 18, United States Code, Section 1028(a)(5) - Possession of Document-Making Implements)

The Grand Jury charges as follows:

Between on or about May 24, 2005 and on or about May 25, 2005, at Peabody, in the District of Massachusetts,

**OZELIO PEREIRA DE ASSIS,
A/K/A OZELIO PEREIRA ASSIS,
A/K/A JOAO PEREIRA,**

the defendant herein, knowingly produced, transferred and possessed document-making implements, to wit, one ream of gray paper stock, three notebooks (one containing what appears to be biographical information, names and dates of birth, of various persons), two sheets of passport style photos of two different persons, several laminating pouches, one Brazilian driver's history record for an unknown person, and one Sony video camera, with the intent that such document-making implements would be used in the production of false identification documents.

All in violation of Title 18, United States Code, Section 1028(a)(5) and Title 18, United States Code, Section 2.

FORFEITURE ALLEGATIONS

**Title 18, United States Code, Section 1028(b)(5),
Title 18, United States Code, Section 982(a)(2)(B)
(Criminal Forfeiture)**

1. As a result of committing one or more of the transfer of false identification documents and/or possession of document-making implements offenses, in violation of 18 U.S.C. § 1028(a) alleged in Counts One and Two of this Indictment,

**OZELIO PEREIRA DE ASSIS,
A/K/A OZELIO PEREIRA ASSIS,
A/K/A JOAO PEREIRA,**

defendant herein, shall forfeit to the United States: (1) any and all personal property used or intended to be used to commit one or more of the offenses, pursuant to Title 18, United States Code, Section 1028(b)(5); and (2) any and all property constituting, or derived from, proceeds obtained directly or indirectly, as the result of one or more of the offenses, pursuant to Title 18, United States Code, Section 982(a)(2)(B).

2. If, as a result of any act or omission of the defendant, the above-described forfeitable property -
- (1) cannot be located upon the exercise of due diligence;
 - (2) have been transferred or sold to, or deposited with, a third party;
 - (3) have been placed beyond the jurisdiction of the Court;
 - (4) have been substantially diminished in value; or
 - (5) have been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Sections 1028(g) and/or 982(b)(1), all of which incorporate Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property.

All pursuant to Title 18, United States Code, Sections 982, and 1028.

A TRUE BILL

Melvin Laway
FOREPERSON OF THE GRAND JURY

Antoinette E. Leone
Assistant United States Attorney

DISTRICT OF MASSACHUSETTS

June 1, 2005

Returned into the District Court by the Grand Jurors and filed.

Maia Srem
Deputy Clerk
6/1/05
3:45 pm

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: _____ Category No. II Investigating Agency ICE _____City Peabody**Related Case Information:**County Essex

Superseding Ind./ Inf. _____ Case No. _____
 Same Defendant X New Defendant _____
 Magistrate Judge Case Number MJ-05-850-MBB
 Search Warrant Case Number _____
 R 20/R 40 from District of _____

Defendant Information:Defendant Name OZELIO PEREIRA DE ASSIS Juvenile Yes NoAlias Name OZELIO PEREIRA ASSIS, JOAO PEREIRAAddress 248 Massachusetts Avenue, Arlington, MABirth date (Year only): 1979 SSN (last 4 #): _____ Sex M Race: _____ Nationality: BrazilDefense Counsel if known: Roger Witkin, Esq. Address: 6 Beacon Street, Suite 1010
Boston, MA 02108

Bar Number: _____

U.S. Attorney Information:AUSA Antoinette E.M. Leoney Bar Number if applicable 545567Interpreter: Yes No List language and/or dialect: Portuguese/BrazilianMatter to be SEALED: Yes No Warrant Requested Regular Process In Custody**Location Status:**Arrest Date: 5/25/2005 - INS/ICE Administrative Arrest Already in Federal Custody as of 5/25/05 in Plymouth HC Already in State Custody at _____ Serving Sentence Awaiting Trial On Pretrial Release: Ordered by _____ on _____Charging Document: Complaint Information IndictmentTotal # of Counts: Petty _____ Misdemeanor _____ Felony _____ 2

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 I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: June 1, 2005

Signature of AUSA: Antoinette E. Leoney

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant OZELIO PEREIRA DE ASSIS, a/k/a OZELIO PEREIRA ASSIS, a/k/a JOAO PEREIRA

U.S.C. Citations

<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1 <u>18 U.S.C. § 1028(a)(2)</u>	<u>Transfer of False Identification Documents</u>	<u>1</u>
Set 2 <u>18 U.S.C. § 1028(a)(5)</u>	<u>Possession of Document Making Implements</u>	<u>2</u>
Set 3 <u>18 U.S.C. § 2</u>	<u>Aiding and Abetting</u>	<u>1, 2</u>
Set 4 <u>18 U.S.C. § 1028(b)(5)</u>	<u>Criminal Forfeiture Allegation</u>	
Set 5 <u>18 U.S.C. § 982(a)(2)(B)</u>	<u>Criminal Forfeiture Allegation</u>	
Set 6 _____	_____	_____
Set 7 _____	_____	_____
Set 8 _____	_____	_____
Set 9 _____	_____	_____
Set 10 _____	_____	_____
Set 11 _____	_____	_____
Set 12 _____	_____	_____
Set 13 _____	_____	_____
Set 14 _____	_____	_____
Set 15 _____	_____	_____

ADDITIONAL INFORMATION: _____